



Dated: 9/14/2020

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

In re:)	
)	Case No. 3:19-bk-1971
CAPSTONE PEDIATRICS, PLLC,)	
)	Chapter 11
Debtor.)	
_____)	
)	
CDS BUSINESS SERVICES, INC. d/b/a)	
NEWTEK BUSINESS CREDIT,)	
)	
Plaintiff,)	
v.)	Adv. Proc. No. 3:20-ap-90140
)	
AMERICA CARES TRUST d/b/a)	
CARENATION,)	
)	
Defendant.)	

**ORDER SETTING HEARING
ON EXPEDITED MOTION FOR PRELIMINARY INJUNCTION**

CDS Business Services, Inc. d/b/a Newtek Business Credit (“CDS”) has filed an expedited motion for a preliminary injunction against America Cares Trust d/b/a CareNation (“ACT”). Based upon the allegations in the motion, good cause exists to schedule an expedited hearing.

The Court anticipates that ACT will be responding promptly to the injunction motion since it has played an active role in the last stages of this bankruptcy -- being the successful buyer of assets from the debtor and having recently attempted to take advantage of the Court's jurisdiction to pursue a motion to compel against CDS over an issue arising out of the sale of assets. Accordingly, even though the hearing is being set on an expedited basis, the Court expects ACT to be in a position to respond to the matter quickly. Therefore, the following procedures will apply:

1. A hearing will be conducted telephonically at 1:00 p.m. on Thursday, September 17, 2020. The call-in information is: **Call-In Number: 1-888-363-4749; Access Code: 8979228#.**

2. CDS shall upload any exhibits expected to be presented at the hearing no later than 12:00 p.m. on Wednesday, September 16, 2020, through use of the Court's Electronic Evidence Submission Application ("EESA"), using a numbering system where the Movant's/Plaintiff's exhibits will start with #1001.

3. ACT shall file any response it wishes to file by 5:00 p.m. on Wednesday, September 16, 2020.

4. ACT shall upload any exhibits expected to be presented at the hearing no later than 10:00 a.m. on Thursday, September 17, 2020, through use of EESA, using a numbering system where the Respondent's/Defendant's exhibits will start with #2001.

5. CDS shall serve this order to ACT by the fastest means available as soon as possible after entry on September 14, 2020.

IT IS SO ORDERED.

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.